P13

Scott. IX-37--45,000—15-11-35.

Revenue (1936) Department.

MS SERIES.

G.O. No. 1738

DATED 11-8-36

[Despatch Abstract.]

ALIENATION - Land (South Kongra) - Mongolan Tribe - Attempt to Village - The Mongols - Leaders' Chit - Chit Holding and its - Sanctioned.

43560 S/B-1 Aug

C.F. 31—13,206—14-12-35.

Revenue **DEPARTMENT.**

ASSISTANT SECRETARY TO GOVT. 4 JUL 1936 REVENUE DEPARTMENT

CURRENT No. 2798F

Received _____ 19 *Registered* 4.7.36 19

Subject.

Alienation- Land -(South Kanara) Mangaloré Taluk- Attavar Village- T.S.Nos. 25-1, 82-1, 83-1 A- The Mangalore Ladies Club, Club building and its premises- Recommended-

---

Refce.B.No. 1331-36-2

Station Madras. , *Dated the* 29-6-36. 19

From

F.R. Brislee Esq., I.C.S.,
Secretary,

Board of Revenue.

C.A. Henderson Esq., V.D., I.C.S., Comm. of Land Revenue.

Read:-

Letter from Khan Bahadur Muhammad Humayun Saheb Bahadur,B.A Collector of South Kanara, Ref. B.3-1389-36 dated 25th May 1936.

Reference:

At the instance of the Collector of South Kanara the Board recommends the alienation of the plot of land comprised in T.S.Nos. 25-1, 82-1, and 83-1 A of Attavar village Mangalore taluk measuring 30,359 sq.ft. 7841 sq.ft and 13068 sq.ft in favaour of the Mangalore Ladies Club for use as the site of the Club building and its premises.

Club-building 2500 sq. ft
playground 1 Ac. 5208 sq. f

2. In their order No.1417 Ms. Revenue dated 23-6-21, the Government granted to the Mangalore Ladies Club an extent of 1 Ac. 7841 sq. ft.subject to the payment of ground rent at Rs.100/- an acre on a tenancy at will. Under the lease deed executed on 31-10-22, the land is now held by the Club subject to the payment of an annual rental of Rs.118/- payable before the 31st March every year. Out of the extent originally granted ~~an extent originally granted~~, an extent of 155 sq.ft was relinquished in favour of the Municipal Council at the instance of the Collector for the rounding of a bad corner of the Light House Hill Road.

3. The rent fixed for the site has been felt by the Club to be a heavy burden. The Club has been making representations for the reduction of the rent. In their order No.1859 Mis. Revenue dated 11-8-28, the Government held that the land should be alienated to the club subject to the payment of Rs.6-4-0 an acre, if the club is agreeable to the conditions of alienation The Club did not agree to the conditions of alienation as it was afraid that the rights over the building might be jeopardise Financial embarassment has now forced the members of the club to consider the question of the alienation and it is now willing to accept the conditions of alienation. The Club is a registered body and the present value of the Club building is estimated at Rs.12,000/- The value of Rs.0-12-6 of the tree growth that existed on the plot was collected in 1931 The Honorary Secretary of the Club has requested that the rental of Rs.118/- due for the year ending 31-3-36 under the old tenancy at will may be waived and ground rent at Rs.11-4-0 an acre may be accepted for that period also. The Collector

Collector supports the request of the club on the ground that its members pay only a small subscription, that there are no additional items of revenue from the sale of refreshments and that the club has been paying the rental with considerable difficulty. The Board considers that there is no need to consider the request of the Club as the orders sanctioning the alienation of land could not be given retrospective effect and as the lands should be considered to be held on the tenancy at will till they are alienated to the club.

4. The alienation will be free of charge for the occupancy right but subject to the payment of ground rent which will be liable to revision at every re-settlement and subject also to the following conditions to which the alienee has agreed:-

(i) The land shall be used as the site of the Mangalore Ladies Club building and its premises and for no other purpose.

(ii) No other building shall be constructed on the land set apart for the club and no building shall be constructed on the extent set apart for play ground without the previous permission of the Collector of the district.

(iii) The lands shall not be alienated without the previous permission of the Collector of the district.

(iv) The Club shall be managed and maintained efficiently to the satisfaction of the Collector.

(v) The lands and the buildings shall not be used for holding political meetings.

(vi) The Government may resume the land wholly or in part with any buildings thereon, in the event of the infringement of any of the conditions of the grant In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee. If

If there are buildings on the land the Government may direct the grantee to remove them.

(vii) The Government may resume the land wholly or in part with any buiddings thereon if in the opinion of the Government the land is required for a public purpose or for conducting mining operations.

(viii) In the event of resumption under condition (vii) if there are buildings on the land the Government may at their option either,

(a) purchase the buildings, or

(b) direct the grantee to remove the buildings

(ix) In the event of the resumption of the land followed by the purchase of the buildings under condition (viii) (a) or in the event of the acquisition of the land for any reason the compensation payable for buildings or other improvements shall in no case exceed the initial cost or the value at the time of resumption or acquisition, whichever may be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. But in no circumstances shall any compensation be paid by the Government in respect of buildings constructed in contravention of condition (ii).

(x) In the event of the grantee refusing to remove the buildings when so directed under condition (vi) or (viii) (b) the Government may remove them and realise the cost of removal by the sale of the materials.

(xi) In the event of the voluntary relinquishment of the land by the grantee no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by the grantee.

Application for the alienation of land in which the proprietory right belongs to the State.

District- South Kanara.

1. Description and area.	T.S.No.25/1, 82/1, 83/1A of Attavar village in Mangalore Taluk, measuring 30,359, 7841 and 13068 sq. ft. Aggregate extent 1 acre 7708 sq. ft.
2. Market value.	Rs.5300/- Book value of the building Rs.15000/-
3. Alienee and purpose of alienation.	The Mangalore Ladies' Club, Mangalore for the purpose of the Club building and its premises.
4. Collector's remarks.	Recommended.

Eye Sketch

District - South Kanara

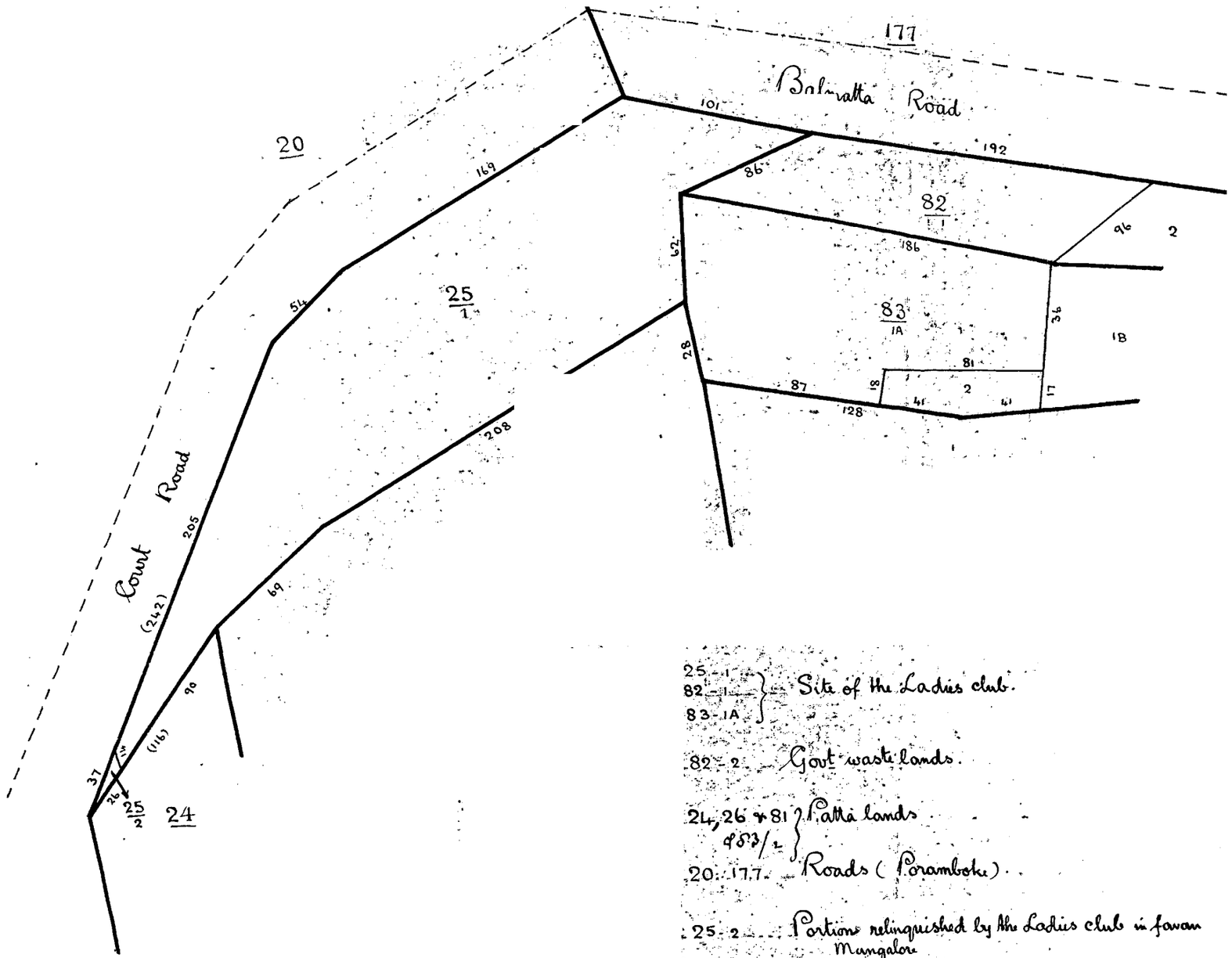
Taluk - Mangalore

Village - Nami Attavar

R.No. 86

Town Survey nos 25, 82 & 83

of Block no 1, ward V



25-1, 82-1, 83-1A } Site of the Ladies club.

82-2 Govt waste lands.

24, 26 & 81 } Patta lands
483/2 }

20. 177 Roads (Poramboke)

25-2 Portions relinquished by the Ladies club in favour of the Mangalore Municipal Council.

Scale 1 inch = 66 feet

H H Kangappaya
Draftsman
17.3.36

Rev Deptt

Letter no. 2798 I[c]/36-[9] 17-7-36

To The Secy to the Govt of Madra
Deptt of Edn Health & Land

Sir

Alienation - Land (S. Kan
Mangalore taluk - Attavar villa
T.S. nos 25-1, 82-1, 83-1 A - D
Mangalore Ladies club, club buil
and its premises.

Dpd. by
Kn
20-7-1936.

The Board of Revenu
has recommended the alienat
of the plots of land measuring
30,359 Sq.ft. 7841 Sq/ft and
13068 Sq/ft in T.S. nos 25-1,
82-1 and 83-1 A respectively
of Attavar village, Mangalore
taluk, S. Kanara Dt. in favo
of the Mangalore Ladies club
for use as the site of the
club building and its premis
as shown in the margin.

2. The land is already held by
club on a tenancy at wi

club building 2,500 Sq/ft.
Playground 1Ac - 5,208 Sq/ft.

and subject to the payment of ground rent at Rs 100/- an acre ~~The rent fixed for the site has been felt by the club to be a heavy burden. The club has been making representations~~ asking for the reduction of the rent. In 1928, this Govt held that the

The Club has from some time past felt that the amount of G.R. payable is a burden on its slender resources.

revision at every re-
settlement and subject
also to the following
Conditions to which the
alienee has agreed

(1) The land shall be
used as the site of the
Bungalow Ladies club building
and its premises and for
no other purpose

(2) No other building shall
be constructed on the land
set apart for the club
and no building shall be
constructed on the ~~ex~~ land
set apart for playground
without the previous permission
of the Collr of the District

(3) The lands shall not be
alienated without the previous
permission of the Collr ~~of the~~
~~District~~.

(4) The club shall be managed
and maintained efficiently
to the satisfaction of the Collr

(5) The lands and the building
shall not be used for

(6) The Government may resume the land wholly or in part, with any buildings thereon, in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee ~~and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant~~. If there are buildings on the land the Government may direct the grantee to remove them.

(7) The Government may resume the land, wholly or in part, with any buildings thereon, if in the opinion of the Government the land is required for a public purpose or for conducting mining operations. ~~In the event of such resumption or in the event~~ of the acquisition of the land for any reason, the compensation payable for the land and trees shall in no case exceed the amount paid for them by the grantee or their value at the time ~~of resumption~~ or acquisition whichever may be less.

(8) In the event of resumption under condition (7) if there are buildings on the land, the Government may, at their option, either.-

(a) purchase the buildings, or

(b) direct the grantee to remove the buildings.

(9) In the event of the resumption of the land followed by the purchase of the buildings under condition 8 (a) or in the event of the acquisition of the land for any reason, the compensation payable for buildings or other improvements shall in

in no case exceed ~~The amount paid for them by the grantee at the time of alienation or their value at the time of resumption or acquisition, whichever may be less, together with~~ the initial cost or the value at the time of resumption or acquisition, whichever may be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. but in no circumstances shall any compensation be paid by the Govt in respect of buildings constructed in contravention of condition (2)

(10) In the event of the grantee refusing th remove the buildings, when so directed under condition (6) or (8) the Government may remove them and realise the cost of the removal by

clean copy. 13

REVENUE DEPARTMENT.

No.2798-F/36-1.

From

H.R. UZIELLI ESQ., C.I.E., I.C.S.

Secretary to the Government of Madras,

To

The Secretary to the Government of India,

Department of Education, Health & Lands.

Dated, Fort St. George, the 17th July 1936.

Sir,

Alienation - Land (South Kanara) - Mangalore taluk - Attavar village - T.S. Nos. 25-1, 82-1, 83-1A - The Mangalore Ladies Club, club building and its premises.

The Board of Revenue has recommended the alienation of the plots of land measuring 30,359 sq.ft., 7841 sq.ft., and 13,068 sq.ft. in T.S. Nos. 25-1, 82-1 and 83-1A respectively of Attavar village, Mangalore taluk, South Kanara district, in favour of the Mangalore Ladies Club for use as the site of the club building and its premises as shown in the margin.

Club building	.. 2,500 sq.ft.
Playground	.. Ac.1 - 5,208 sq.ft.

2. The land is already held by the club on a tenancy at will and subject to the payment of ground rent at Rs.100/- an acre. The club has for some time past felt that the amount of ground rent payable is a drain on its slender resources and has been asking for the reduction of the rent. In 1928, this Government held that the land might be alienated to the club subject to the payment of Rs.6-4-0 an acre if the club was willing to accept the ordinary conditions of alienation.

The

The club apprehended that its rights over the club buildings might be jeopardised under the ordinary conditions of alienation and expressed its inability to agree to them. The question of alienating the site in favour of the club was therefore dropped, and the tenancy at will continued in force. The club has now expressed its readiness to have the land alienated ~~at~~ to it subject to the usual conditions. This Government accordingly propose to alienate the site in favour of the club.

3. The alienation will be free of charge for the occupancy right but subject to the payment of ground rent which will be liable to revision at every resettlement and subject also to the following conditions to which the alie.. has agreed

(1) The land shall be used as the site of the Mangalore Ladies Club building and its premises and for no other purpose.

(2) No other building shall be constructed on the land set apart for the club and no building shall be constructed on the extent set apart for playground without the previous permission of the Collector of the district.

(3) The lands shall not be alienated without the previous permission of the Collector.

(6) The Government may resume the land wholly or in part, with any buildings thereon, in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee. If there are buildings on the land the Government may direct the grantee to remove them.

(7) The Government may resume the land, wholly or in part, with any buildings thereon, if in the opinion of the Government the land is required for a public purpose or for conducting mining operations.

(8) In the event of resumption under condition (7) if there are buildings on the land, the Government may, at their option, either--

(a) purchase the buildings, or

(b) direct the grantee to remove the buildings.

(9) In the event of the resumption of the land followed by the purchase of the buildings under condition 8(a) or in the event of the acquisition of the land for any reason, the compensation payable for buildings or other improvements shall in no case exceed the initial cost or the value at the time of resumption or acquisition, whichever may be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant; but in no circumstances shall any compensation be paid by the Government in respect of buildings constructed in contravention of condition (2).

(10) In the event of the grantee refusing to remove the buildings, when so directed under conditions (6) or (8)(b) the Government may remove them and realise the cost of the removal by the sale of the materials.

(11) In the event of the voluntary relinquishment of the land by the grantee, no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by the grantee.

4. As the market value of the land is estimated to be Rs. 5,300/- I am directed to request that under paragraph 9 of the resolution of the Government of India (Department of Agriculture, Revenue and Commerce) No.1-141, dated 6th February 1872, as amended by the resolution No.1-127-4, dated 28th February 1912, the sanction of the Government of India may be accorded to the proposed alienation.

I have the honour to be,

Sir,

Your most obedient servant,

for Secretary to Government.

v.s.v.17-7.

17

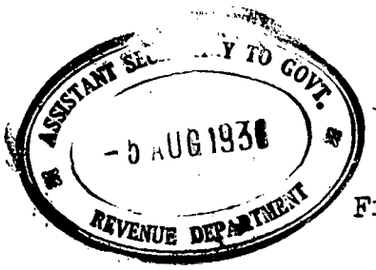
No. F.6-21/36-L.& O.

R 3295F
5.8.36.

Government of India.

Department of Education, Health & Lands.

Simla, the 1st August, 1936.



From

M.W.Yeatts, Esquire, I.C.S.,

Deputy Secretary to the Government of India,

To

The Secretary to the Gove:

Revenue Department.

Alienation - Land (South Kanara) Mangalore taluk - Attavar village - the Mangalore Ladies Club, Club building and its premises.

ir,

I am directed to convey the sanction of the overnment of India to the proposal contained in your letter No. 2798-F/36 - 1, dated the 17th July, 1936.

Pn 13-16 ante

I have the honour to be,

Sir,

Your most obedient servant,

M.W.Yeatts

Deputy Secretary.

Alienation - Land (S. Kanara) - Mangalore Taluka - Attavar Vge - T.S nos 25-1 - 82-1 and 83-1-A - The Mangalore Ladies Club & premises.

798 F/36] From the Bd of Rev Ryce B. No 1331-36-2 dy 29.6.36

To ws

Please see the Bd's reply in the C.f. The lands which it is proposed to alienate are already held by the Mangalore Ladies' Club on a tenancy at will For a history of the club please see the note from p 21 of G.O. no 252 Rev dy 5-2-36 ~~and Secy's note~~ Attention is also solicited to Secy's further note and Hons minute thereon at pp 56-57 of the above G.O. In the circumstances now stated the proposal for the alienation of the lands in question may be sanctioned and also D.O. 1842 F/36 dy 29-4-36

2. It is stated that the Honorary Secy of the club has requested that the rental of Rs 118/- due for the year ending 31.3.36 may be waived and ground rent at Rs 11-4 an acre may be accepted for that period also. Though the Collr supports this, the Board considers that there is no need to

Consider the request of the club as the orders sanctioning the alienation could not be given retrospective effect the Board's proposal may be agreed to

14/7.
16.7.36

3. As the market value of the land is reported to be Rs 5,300/- the sanction of the Govt. of India is necessary for the alienation. A draft ~~letter~~ to the G. of India is submd. for approval.

(R)

37

27/7/36
27/7

Please see secy note on p/p 38-40 in G.O. 252 d 5.2.36 and the orders thereon, d on p/p. 56.57 and the orders thereon. The draft may issue.

(S)

14/7
S.
16.7.36

[Issued as letter no 2798 F/36-1 d 17.7.36] Mr 13-16 c/f
[From the G. of India no. F.6.21/36-L+O d 1-8.36] Mr 17 c/f

To us

Please see the letter to the G. of India at Mr 13-16 c/f. and their reply at Mr 17 c/f.

A draft order is submd for approval.

May issue

6.8.36
7/8

8/8
S.
10.8.36

Rev. Sectt.-23—2,125—5-12-35.

GOVERNMENT OF MADRAS.

Received _____ 193 *Registered* _____ 193

Abstract.

C.O. Document dt. 15.7.36

26/11/8

REVENUE DEPARTMENT.

G.O. No. Ms. 1738 **Dated the** 11.8.36

READ the following :—

Enc. 2798 F/36. From the Board of Revenue no B. 1331/36-2 dt 29.6.36.

Ltr 13-16 dt Letter to the Govt of India no. 2798 F/36-1 dt 17.7.36

Ltr 17 dt From the Govt. of India no. F. 6-21/36 L+O dt 1.8.36

ORDER— With the previous sanction of the Govt of India

The Government sanction the alienation of the plots of land measuring 30,359 sq/ft, 7,841 sq/ft and 13,068 sq/ft in T. S nos. 25-1, 82-1 and 83-1 A respectively of Attavar Vge, Mangalore taluk, S. Kanara Dt. in favour of the Mangalore Ladies' club for use as the site of the club building and its premises as shown in the margin.

1) club building 2,500 sq/ft.

2) Playground 1 Ac. 5,208 sq/ft.

2. The alienation will be free of charge for the occupancy right, but subject to the payment of ground rent which will be liable to revision at every resettlement

and ~~but~~ also subject to the following conditions :—

(1) The land shall be used as the site of the Bangalore Ladies club building and its premises

and for no other purpose

~~The buildings shall be constructed within from the date of the ant.~~

2) No other building shall be constructed on the land set apart for the club and no building shall be constructed on the extent set apart for the playground without the previous permission of the Collr or the District

3) The lands shall not be alienated without the previous permission of the collector

(4) The club shall be managed and maintained efficiently to the satisfaction of the Collector

(5) The lands and the buildings shall not be used for holding political meetings

(6) The Government may resume the land, wholly or in part, with any buildings thereon, in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee ~~(and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant)~~. If there are buildings on the land the Government may direct the grantee to remove them.

(7) The Government may resume the land, wholly or in part, with any buildings thereon, if in the opinion of the Government the land is required for a public purpose or for conducting mining operations. ~~(In the event of such resumption or in the event of the acquisition of the land for any reason, the compensation payable for the land and trees shall in no case exceed the amount paid for them by the grantee or their value at the time of resumption or acquisition whichever may be less.)~~

(8) In the event of resumption under condition (7) if there are buildings on the land, the Government may, at their option, either—

(*a*) purchase the buildings, or

(*b*) direct the grantee to remove the buildings.

(9) In the event of the resumption of the land followed by the purchase of the buildings under condition (8) (a) or in the event of the acquisition of the land for any reason, the compensation payable for buildings or other improvements shall in no case exceed ~~(the amount paid for them by the grantee at the time of alienation or their value at the time of resumption or acquisition, whichever may be less, together with)~~ the initial cost or the value at the time of resumption or acquisition, whichever may be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant, but in no circumstances shall any comp be paid by the Govt in respect of buildings constr in contravention of condition (2).

(10) In the event of the grantee refusing to remove the buildings, when so directed under conditions (6) or (8)(b) the Government may remove them and realize the cost of the removal by the sale of the materials.

(11) In the event of the voluntary relinquishment of the land by the grantee, no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by the grantee ~~(and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant)~~.